

CONFERENCE COMMITTEE REPORT

Senate Bill No. 235 by Senator N. Gautreaux

June 25, 2009

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 235 by Senator N. Gautreaux recommend the following concerning the Reengrossed bill:

1. That House Committee Amendments No. 1, 2, 3, 4, and 5 proposed by House Committee on Municipal, Parochial and Cultural Affair and adopted by the House of Representatives on June 18, 2009 be rejected.
2. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 5, after "police chief;" insert "to provide for the qualifications of the police chief";

AMENDMENT NO. 2

On page 1, line 13, after "**(29)**" insert **(a)**

AMENDMENT NO. 3

On page 2, delete line 9 and insert the following:

"(b) Notwithstanding any other provision of law to the contrary, the chief of police of the town of Duson shall have two years of full time law enforcement experience and shall successfully complete a certified training program approved by the Council on Peace Officers Standards and Training. In addition the chief shall successfully pass a council approved comprehensive examination within one calendar year from the date of the initial employment as chief of police.

* * *

Section 2. The provisions of this Act are remedial and procedural in nature and shall apply prospectively and retroactively to June 15, 2009.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

Respectfully submitted,

Senators:

Representatives:

Senator "Jody" Amedee

Representative Bobby G. Badon

Senator "Nick" Gautreaux

Representative Regina Barrow

Senator Cheryl A. Gray Evans

Representative Jack Montoucet

The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

CONFERENCE COMMITTEE REPORT DIGEST

Senate Bill No. 235 by Senator N. Gautreaux

Keyword and summary of the bill as proposed by the Conference Committee

LOCAL OFFICIALS. Provides for the appointment and election of the chief of police in the town of Duson. (gov sig)

Report rejects House amendments which would have:

1. Required the chief of police of the town of Duson to either be appointed or elected as provided in R.S. 33:381.2.

Report amends the bill to:

1. Provide for the qualifications for the chief of police of the town of Duson.

Digest of the bill as proposed by the Conference Committee

Present law provides that the officers of every municipality governed by the provisions of the Lawrason Act (mayor-board of aldermen form of government) shall be a mayor, alderman, a chief of police, a tax collector, a clerk, and a street commissioner. Generally provides for election, at large, of the police chief. Provides for appointment of a police chief in certain specified municipalities.

Present law alternatively provides that the office of police chief shall be filled by mayoral appointment with approval of the board of aldermen if a majority of the municipal electors approve the change. Provides for an election on the question only upon a petition directed to the board of aldermen and signed by at least 25% of such electors.

Proposed law provides an exception for the police chief in Duson. Provides that such police chief shall be appointed by the mayor with the approval of the board of aldermen by majority vote. Provides for initial appointment upon expiration of the current term or other vacancy if there is an elected chief in office on the effective date of proposed law; provides for immediate appointment if not. Provides that the police chief's term shall be concurrent with that of the mayor and aldermen.

Proposed law provides that the board of aldermen, upon recommendation of the mayor, shall establish the salary of the office and shall, by ordinance, establish the duties, responsibilities, and qualifications of the office and that the chief shall report directly to the mayor.

Proposed law provides that the chief of police of the town of Duson shall have two years of full time law enforcement experience and shall successfully complete a certified training program approved by the Council on Peace Officers Standards and Training. In addition the chief shall successfully pass a council approved comprehensive examination within one calendar year from the date of initial employment as chief of police.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:381(C)(29))